

PROB 12C  
(7/93)

Report Date: November 21, 2014

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 24 2014

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Daniel E. Price

Case Number: 2:06CR00070-WFN-2

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: February 1, 2007

Original Offense: Possession of a Stolen Firearm, 18 U.S.C. §§ 922(j) and 924(a)(2)

Original Sentence: Prison - 120 months  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Earl A. Hicks

Date Supervision Commenced: November 8, 2013

Defense Attorney: Julian Elizabeth St. Marie

Date Supervision Expires: November 7, 2016

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**PETITIONING THE COURT****To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

- 1      **Standard Condition # 1:** The defendant shall not leave the judicial district without the permission of the court or probation officer.

**Supporting Evidence:** On September 8, 2014, an employee from the Spokane Residential Reentry Center (SRRRC) contacted the U.S. Probation Office to report she observed Mr. Price at the casino in Worley, Idaho, on September 7, 2014. The SRRRC employee advised Mr. Price appeared to be intoxicated and was passing out \$100 bills to casino patrons. Mr. Price did not obtain permission from this officer to travel to the State of Idaho.

On September 9, 2014, the undersigned officer confronted Mr. Price about his travel to the State of Idaho. Mr. Price admitted to traveling to Worley, Idaho, to purchase cigarettes and to gamble. However, he denied being under the influence of alcohol or passing out \$100 bills to casino patrons.

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- 2           **Standard Condition # 3:** The defendant shall answer all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** On November 14, 2014, Mr. Price contacted the undersigned officer to report he was entering into substance abuse treatment the following Monday, which was November 17, 2014. The undersigned officer instructed Mr. Price to report to the U.S. Probation Office on November 17, 2014, at 4 p.m. Mr. Price failed to report in person as instructed.

- 3, 4           **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

**Supporting Evidence:** On September 19, 2014, Mr. Price admitted to the undersigned officer that he began consuming alcohol regularly over the course of the past month. He did not specify the amount of alcohol consumed, but acknowledged he had experienced withdrawal symptoms.

On October 24, 2014, the undersigned officer made contact with Mr. Price at his residence for the purposes of a scheduled home visit. Mr. Price provided a breath sample for the purposes of alcohol testing, which revealed a blood alcohol content of .165. Upon confronting Mr. Price about this positive result, he admitted to consuming alcohol the night before. Mr. Price also stated he has been a drug addict for the majority of his life and consuming alcohol helps him stay away from using other drugs.

- 5           **Standard Condition # 11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

**Supporting Evidence:** On July 27, 2014, Mr. Price was arrested by the Wilbur (Washington) Police Department for false reporting and booked into the Lincoln County Jail. On July 28, 2014, Mr. Price was released from the Lincoln County Jail on his own recognizance. He failed to report this contact with law enforcement to the undersigned officer until August 6, 2014.

According to the incident report, on July 27, 2014, Mr. Price contacted law enforcement in Wilbur, Washington, and reported he was being chased by some people. He stated his life was in danger. Mr. Price reported to the officer that the chase began in Inchelium, Washington, and he requested police protection. The officer spent approximately 15 minutes with Mr. Price and advised the only people in the area were residents of the town. The responding officer did not believe Mr. Price was in danger. He suggested that Mr. Price travel to Spokane, Washington, and hide if he felt someone was after him. The officer further advised Mr. Price not to contact law enforcement unless he was in need of emergency help.

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Subsequently, the officer followed Mr. Price out of Wilbur, Washington, and returned to town. As the officer returned to town, he received another call that Mr. Price contacted 911 and reported being chased. The officer located Mr. Price and followed him back to Wilbur, Washington. The officer did not observe any other vehicles following Mr. Price as he followed him back to town. Upon making contact with Mr. Price, the officer arrested him for false reporting.

Mr. Price was formally charged with false reporting in Lincoln County District Court case number 4Z0614534. The case was dismissed on October 2, 2014.

- 6      **Special Condition # 15:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

**Supporting Evidence:** On June 20, 2014, Mr. Price successfully completed inpatient substance abuse treatment at Sun Ray Court in Spokane, Washington. Subsequently, Mr. Price was referred to New Horizons Care Center (NHCC) for aftercare treatment by Sun Ray Court.

On September 15, 2014, upon Mr. Price admitting to ingesting alcohol excessively beginning in August 2014, this officer inquired about Mr. Price's substance abuse treatment at NHCC. Mr. Price advised he had not been to treatment for approximately 2 weeks. Subsequently, this officer directed Mr. Price to re-engage in treatment services at NHCC.

On September 29, 2014, the undersigned officer contacted Mr. Price's counselor at New Horizons Care Center. The counselor advised he had just taken over Mr. Price's case, as the previous counselor had been terminated from his employment. According to the counselor, Mr. Price missed one treatment session. The counselor also advised Mr. Price's only form of substance abuse treatment at NHCC up to that point was acupuncture therapy. Based on additional reported substance abuse, the counselor recommended Mr. Price engage in additional substance abuse counseling.

Also on September 29, 2014, this officer contacted Mr. Price. Mr. Price reported he had left several messages with his substance abuse counselor at NHCC, but had not received a phone call back.

On October 3, 2014, Mr. Price's counselor at NHCC contacted the undersigned officer and confirmed the offender had scheduled an appointment for October 10, 2014. On October 6, 2014, Mr. Price also reported to this officer he had scheduled an appointment at NHCC for October 10, 2014. He failed to attend his substance abuse treatment appointment on October 10, 2014.

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On October 17, 2014, Mr. Price reported to this officer that he was having difficulties contacting his counselor at NHCC. He advised he would enroll in substance abuse classes at Alcohol Drug Education Prevention and Treatment, Inc. (ADEPT) in Deer Park, Washington.

On October 27, 2014, this officer contacted the ADEPT office in Colville, Washington, and confirmed Mr. Price participated in an intake for substance abuse treatment on that date. However, Mr. Price was considering moving to Spokane, Washington, temporarily to have a recreational vehicle (his primary residence) repaired. Subsequently, ADEPT advised Mr. Price may transfer his substance abuse treatment to the ADEPT office in Deer Park, Washington.

On November 10, 2014, this officer received confirmation from ADEPT that Mr. Price had been scheduled to start substance abuse treatment groups at the ADEPT office in Colville, Washington.

On November 14, 2014, Mr. Price reported to this officer that he was scheduled to enter into substance abuse treatment groups at the ADEPT office in Deer Park, Washington, the following Monday. Mr. Price had recently learned that an individual was recently released from prison, in which he is fearful for his safety. Mr. Price indicated this individual would have a better chance of contacting him if he were observed in Colville, Washington. Therefore, he reportedly chose to complete substance abuse treatment groups at ADEPT in Deer Park, Washington.

On November 20, 2014, the ADEPT office in Deer Park, Washington, confirmed Mr. Price was scheduled to contact that agency on November 17, 2014. Mr. Price failed to report in person or by telephone on that date. Attempts to contact Mr. Price by ADEPT staff were reportedly unsuccessful.

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**Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On September 19, 2014, Mr. Price admitted to ingesting "5 tokes" of methamphetamine a few days earlier, but was unable to specify the date he used the substance. Subsequently, Mr. Price signed a substance abuse admission form acknowledging his use of methamphetamine.

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The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 21, 2014


s/Erik Carlson

Erik Carlson  
U.S. Probation Officer

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### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

11/24/14  
\_\_\_\_\_  
Date